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Attorneys for Defendant  
CARLOS BOBADILLA

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARLOS BOBADILLA,

Defendant.

Case No. 1:23-mj-00056-SKO

STIPULATION TO MODIFY CONDITION OF  
PRETRIAL RELEASE; ORDER

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel, Assistant United States Attorney Antonio Pataca, counsel for plaintiff, and Assistant Federal Defender Reed Grantham, counsel for defendant Carlos Bobadilla, that the Court modify Mr. Bobadilla's conditions of pretrial release, initially imposed on May 26, 2023. *See* Dkt. #10, #12-13. Specifically, it is requested that the Court remove current Condition (7)(l) and (m) of Mr. Bobadilla's conditions of pretrial release, and that the Court impose a new Condition (7)(l) which will state as follows:

The defendant must participate in the following Location Monitoring program component and abide by all the requirements of the program, which will include having a location monitoring unit installed in your residence and a radio frequency transmitter device attached to your person. You must comply with all

1 instructions for the use and operation of said devices as given to  
2 you by the Pretrial Services Agency and employees of the  
3 monitoring company. You must pay all or part of the costs of the  
4 program based upon your ability to pay as determined by the  
5 pretrial services officer. CURFEW: You are restricted to your  
6 residence every day from 9:00 p.m. to 6:00 a.m., or as adjusted by  
7 the Pretrial Services office or supervising officer, for medical,  
8 religious services, employment, or court-ordered obligations.

9 Mr. Bobadilla made his initial appearance before this Court on May 19, 2023. *See* Dkt.  
10 #4. A detention hearing was held on May 26, 2023, and Mr. Bobadilla was released on  
11 conditions the same day. *See* Dkt. #10. During the detention hearing, the parties and the Court  
12 discussed imposing a location monitoring condition, however, at the time, undersigned counsel,  
13 after having discussed the matter with Mr. Bobadilla, advised that because of Mr. Bobadilla's  
14 medical condition—Stage 5 kidney disease—he would often experience swelling in his feet and  
15 legs, which might make the imposition of a location monitoring condition difficult and/or  
16 ineffective.

17 Instead, at the detention hearing, the Court imposed Condition (7)(l), which provided that  
18 Mr. Bobadilla: “[E]xecute a bond or an agreement to forfeit upon failing to appear or failure to  
19 abide by any of the conditions of release, the following sum of money or designated property: a  
20 \$75,000 property bond in property owned by the defendant's mother.” Dkt. #12 at 2. Condition  
21 (7)(m) further specified that Mr. Bobadilla “post the property bond no later than June 30, 2023.”  
22 Dkt. #12 at 2.

23 Since May 26, 2023, undersigned counsel has been working with Mr. Bobadilla and Mr.  
24 Bobadilla's mother to post the equity in the property she owns. However, undersigned counsel  
25 has come to understand that the property owned by Mr. Bobadilla's mother, while owned  
26 outright by her, is encumbered with approximately \$40,000 in liens, and as such, cannot be used  
27 as collateral in this case. In addition, Mr. Bobadilla has advised that as a result of his regular  
28 dialysis treatments that are now taking place three days per week, he no longer experiences the  
same swelling in his feet and legs as he did prior to receiving dialysis.

On June 26, 2023, undersigned counsel informed government counsel of the issue with  
Mr. Bobadilla's mother's property, and further advised of Mr. Bobadilla's stated difference with

1 respect to swelling in his feet and legs as a result of regular dialysis treatments, and asked if the  
2 government would oppose removing the previously imposed property bond condition—  
3 Condition (7)(l) and (m)—and replacing it with a condition requiring location monitoring, as set  
4 forth above. The government indicates that it does not oppose the modification. Likewise, Mr.  
5 Bobadilla's Pretrial Services Officer, Anthony Perez, was contacted regarding the proposed  
6 modification and indicates that he does not oppose the modification proposed herein. In addition,  
7 Officer Perez indicates that Mr. Bobadilla has been in compliance with the terms and conditions  
8 of his pretrial release to this point, and notes that Pretrial Services can have an officer available  
9 to install the location monitoring equipment on July 6, 2023.

10 Accordingly, the parties, including Pretrial Services, hereby stipulate and agree to remove  
11 current Condition (7)(l) and (m) and to replace it with a new Condition (7)(l), as set forth above,  
12 that would impose location monitoring on Mr. Bobadilla as a condition of his pretrial release. All  
13 other terms and conditions of Mr. Bobadilla's pretrial release, previously imposed, shall remain  
14 in full force and effect.

15 Respectfully submitted,

16 PHILLIP A. TALBERT  
17 United States Attorney

18 Dated: June 27, 2023

/s/ Antonio Pataca  
19 ANTONIO PATACA  
Assistant United States Attorney  
20 Attorney for Plaintiff

21 HEATHER E. WILLIAMS  
22 Federal Defender

23 Date: June 27, 2023

/s/ Reed Grantham  
24 REED GRANTHAM  
Assistant Federal Defender  
25 Attorney for Defendant  
CARLOS BOBADILLA  
26  
27  
28

**ORDER**

IT IS SO ORDERED. The Court hereby removes current Condition (7)(l) and (m) and replaces it with a new Condition (7)(l), as set forth above, that imposes location monitoring on Mr. Bobadilla as a condition of his pretrial release. All other conditions previously imposed remain in full force and effect.

DATED: 6/28/2023

*Sheila K. Oberto*  
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HON. SHEILA K. OBERTO  
United States Magistrate Judge